

APPROVED MINUTES
VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD
MUNICIPAL BUILDING: 874 MAIN STREET, ANTIOCH, ILLINOIS
July 27, 2006

CALL TO ORDER

The Antioch Planning and Zoning Board meeting was called to order by Chairman Burdick at 7:30 p.m. in the Municipal Building, 874 Main Street, Antioch, Illinois 60002.

ROLL CALL

Roll call indicated the following members were present: Keller, Kaiser, Cole & Ipsen. Also present were Chairman Burdick Attorney Magna, Administrator Haley and Deputy Clerk Folbrick. Absent: Kyle LaReese.

MINUTES

The minutes from the June 13, 2006 meeting will be placed on the next agenda for consideration and approval.

ANNOUNCEMENTS AND CORRESPONDENCE

No report.

OLD BUSINESS

No report.

NEW BUSINESS

PZB06-09; Unincorporated subdivision within one and one-half mile of Village Limits; Lass Tract C Re-Subdivision; within East Half, Section 11, T46N, R9E

Deputy Clerk Folbrick administered the oath to those who wished to offer testimony. Mr. Lass, township resident, requested that his two plus acre property be divided into two sections, one plus acre each. He explained that he completed the appropriate applications with Lake County. Chairman Burdick asked if there were any comments from the neighborhood. Mr. Lass said that he was not aware of any.

Member Ipsen asked how he plans on having ingress and egress through the two lots. Mr. Lass said that there is a right-of-way on the south side of Park Avenue. He explained that Park Avenue ended where his property begins, and he has obtained all of the appropriate permits from Lake County.

Member Cole asked what property was listed as an exception. Mr. Lass explained that it was all one piece at one time, and the previous property owner sold homes within that exception. Member Cole asked where they had access. Mr. Lass said that their access was on Shannon through lot 64.

Chairman Burdick asked if lot 64 was dedicated for a roadway. Mr. Lass said that it is an exception and the owner of that lot also owns lot 64 which is where the driveway is located.

Motion to Approve PZB 06-09; Lass Tract C Unincorporated Re-Subdivision

Member Ipsen moved, seconded by member Cole to approve PZB 06-09; Unincorporated subdivision within one and one-half miles of Village limits; Lass Tract C Re-subdivision; within East Half, Section 11, T46N, R9E, in concurrence with the County Ordinances and regulations. Upon roll call, the vote was:

YES: 4: Keller, Kaiser, Cole and Ipsen.

NO: 0.

ABSENT: 1: LaReese.

THE MOTION CARRIED.

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PZB06-10; Proposed Plat of Subdivision with B-3 Zoning; Clublands Commons; SE corner of Savage Road and Route 173; Antioch East End Development LLC

Deputy Clerk Folbrick administered the oath to those who wished to offer testimony. Mr. Tom Burney of Schain, Burney, Ross & Citron, Ltd. representing the Antioch East End Development presented the board with a summary of the events to date. He explained that there was an annexation agreement between the Village of Antioch and Neumann Homes, the previous land owner with respect to this site. Mr. Burney said that this is a review of the Village subdivision code in order to see if this plan is consistent with the code. He explained that some issues to consider with respect to this proposal include lots abutting a public road. He said that to require public property to abut on a public road would take up a lot of land that could be otherwise used for commercial purposes and therefore reduce the real estate and sales tax to the Village of Antioch. He said that there is concern as to how people will access this road system. Mr. Burney said that staff expressed the need for a bond, which they are willing to do. Mr. Burney stated that they are requesting preliminary subdivision approval, and he introduced Mr. Donald Sheridan of Sun / Mid-America Accounting Services.

Mr. Sheridan explained that they acquired the property with the idea of developing a hotel, banquet hall and restaurant facility. He is interested in putting together a mixed use development rather than one large retail development. Their plans would subdivide the property into parcels the size that hotel groups want which is 3 to 3 ½ acres, and adhere to the size that Walgreens and CVS request of 65,000 to 70,000 square feet of retail area. He said that they have strong commitments and would like to ask the board for their support. He said that they would like architectural uniformity to obtain a nice campus look. Mr. Sheridan stated that the interested developers reviewed the site survey and were pleased. They would like to work with the Village and take this project to the next level. Mr. Sheridan introduced Mr. Glenn Christensen of Manhard Consulting, Ltd.

Mr. Christensen presented exhibits 1-4 with exhibit one being an arial photo of the property, exhibit 2 the preliminary plat, exhibit 3 the common area, and exhibit 4 the illustrative site plan. Beginning with the arial photograph, Mr. Christensen explained that the 26.24 acre property is located on Route 173 between Route 45 and Deep Lake Road on the southeast corner of Savage Road. He explained that the land has already been dedicated for the Savage Road improvements. He said as a part of the original annexation agreement, there are easements already in place. Exhibit two depicts 10 lots ranging from 1.28 to 4.03 acres which would accommodate potential users that have shown interest in the site. Mr. Christensen explained that water and sewer utilities currently serve this site. Sanitary sewer will be stubbed into each of the lots, and internal access to the sites are cross easements which would be maintained by the association as a part of their CCR. The CCR will show how each of the owners will maintain the storm water detention as well as any other common element. Common elements include signage, partial landscaping, and roadways which are the cross easements in the site. Mr. Christensen presented exhibit four which depicts how a circulation pattern would work and how the site plan may look as well as proposed improvements. He explained that IDOT has reviewed the improvements and approved the location, which will need to be updated as a part of the platting process. IDOT has indicated that the preliminary plat currently shows the correct locations for the access points. Mr. Christensen stated that the eastern access point would be full access with two lanes going out and one lane going in pending approval from IDOT for turning lanes. The center access point will only be right in and right out. They have also shown cross easements for two points of access to Savage Road. Mr. Christensen reiterated that this is an illustrative site plan which is not specific to any architecture or user, but is what the site will potentially look like. He said that they anticipate the storm water detention area to be a wet pond with aeration of a fountain, and common landscaping surrounding the pond. He said that the Route 173 corridor study requests a 25 foot setback for parking and pavement, and he does not see that as an issue. He said that the corridor study suggests a 150 foot setback for buildings, but he believes that that intention was for larger users and big box stores. He thinks that a 150 foot setback from 173 would immediately place parking in front of the buildings. He said that they anticipate a lot of approvals for the final engineering, and are willing to go through the appropriate channels. Mr. Christensen said that at this point they are just looking for preliminary plat approval. He explained that

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their preliminary plat shows four lots that do not touch the public right of way, but they will all have access to the proposed access easements.

Discussion

Member Ipsen said that there are new residential subdivisions on Route 173 and asked if Mr. Sheridan planned on servicing those subdivisions with convenience stores. Mr. Sheridan said that the corner is a standard location for a Walgreens or CVS, but a major food store would be difficult. Mr. Sheridan said that the purpose of a mixed use is to provide numerous services to the residents in the area. He explained that size will not chase away any of the necessary services in the area. Member Ipsen said that Mr. Sheridan mentioned Walgreens, and was concerned that they will vacate their current location in town. Mr. Sheridan said that because of the density in the area the current Walgreens will not be affected. Member Ipsen asked if all of the out lots near Wal-Mart were sold. Mr. Sheridan said that he believes there is currently one lot available. Member Ipsen asked what the price of the lots would be. Mr. Sheridan said that it would depend upon the final cost of improvements.

Chairman Burdick stated that nothing was mentioned regarding water management. He said that upon review of their plans, he noticed that the study was done for residential use only. Mr. Christensen responded that the individual users will obtain their own soil borings if necessary, but feels that they have sufficient soil conditions for the project.

Mr. Robert Sitner of 1169 Waterview Circle, Antioch, expressed concern regarding a school located so closely to a hotel and asked the board how they can control who and what will occupy the site. Chairman Burdick said that he is not aware of any restrictions on building that type of development next to schools. Director Silhan said that the property is already zoned for business.

Attorney Magna asked what the proposed widths are for the private internal streets. Mr. Christensen explained that they provided a 30 foot access easement between the lots. Attorney Magna asked how they plan to address access of larger trucks to loading docks, and expressed concern regarding the many hypothetical questions brought up because of the nature of this request. He said that without specific use requests the board needs to look at worst case scenarios. He said some issues that they may need to address are truck traffic movements and potential conflicts within the private roadways. Mr. Christensen said that it will be done, but depends on the radius and they will address that will the final approval. He said that you must be aware of the users and can then design roadways to accommodate them. Attorney Magna also stated that they must address the internal buildings. He said that they must be serviced by an extension of the public sanitary sewer and water mains and must be placed on a publicly dedicated easement, and asked if those easements were shown on any preliminary engineering plans at this stage. He said that the Village has concerns regarding repair costs. The Village's subdivision code states that all streets must be in a public right of way except where a variation is granted. Attorney Magna asked if they are asking for a variance from the street standards. Mr. Burney said that he didn't believe they needed to request a variance because it's an easement and not a street.

Director Silhan stated that the private drive referred to earlier near the Wal-Mart site was modified under a PUD. He said that it does not have any parking spaces pulling out into that access easement and therefore operates as a private street. He asked how they know that the access easements will not be driveway aisles directly accessing parking spaces based on what has been submitted to this point. Attorney Magna said that it would be better to look at a planned development rather than a preliminary plan. He said that the board approving this preliminary plat would then make it an entitlement document. Mr. Burney requested that the Board pass this on to the Village Board with the requirement that they show a dedicated road and the changes that this Board would like to make. Mr. Christensen said that they had discussed one street from Route 173 to Savage Road being a public improvement, but that would change the implication to IDOT, and possibly make that road a cut through, and would take up a lot of property. Attorney Magna said that some of the requirements need to be worked out between the attorneys. He said that this plan does not show where any water and sewer easements would be and

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they don't have any evaluation of where those roads would be based on this preliminary plat. He said that because of how this is presented he needs to evaluate the worst case scenario. Mr. Burney stated that even if the board approved the preliminary plat, they would still need final subdivision approval. Attorney Magna said that preliminary plat approval becomes an entitlement document. Attorney Magna requested a base document with the essential features that are required. Mr. Burney asked what revisions the Board would like to see. Attorney Magna cited two problems being road width and easements.

Mr. Christensen stated that at the preliminary plat stage, detail easements are not usually included. Attorney Magna said that he is not asking for detail, but rather enough dedicated right of way to stay within the subdivision regulations. He said that he is not comfortable approving a preliminary plat that does not include the general location of the easements.

Mr. Burney expressed concern that a public hearing would be needed to approve variations. Attorney Magna said that he is suggesting that get the variations up front in the relief sense rather than traditional zoning. He said he is not suggesting a public hearing. Attorney Magna asked if some of the PUD concepts could be put into the covenants and conditions and make a preliminary draft of those items to be approved in the preliminary stage and therefore become the entitlement document. Mr. Burney said that this Board has another opportunity to make changes as they see necessary at the final approval phase. Attorney Magna said that there is no other time that the Village will have the same authority if they approve this plan. He stressed that this type of plan must be approved carefully and with consideration.

Director Silhan stated his primary concern as the location of the utilities and that they need to be in either a publicly dedicated easement or a public right of way. His concern is that the streets, whether public or private, be built as streets. He urged the Board to use caution, when crafting a motion, to be certain of the conditions that may be made. He does not have a problem with private roads, and believes that the agreement to provide a bond for public improvements is a good idea. Director Silhan made it clear that the action of the Board would be an approval, not a recommendation, and therefore creates an entitlement document.

Chairman Burdick asked Director Silhan if he had any comments regarding the height of the hotel. Director Silhan replied that the footprint in the illustrative plan is for a 100 room hotel, which will not fit into a two story height maximum indicated in the annexation agreement. Chairman Burdick asked how this project will coincide with the Route 173 corridor plan. Director Silhan said that the Route 173 corridor plan should be taken into consideration when approving this project.

Member Cole asked if this property was located within the special service area. Director Silhan replied that it is in the same special service area as the Neuhausen subdivision. Member Cole asked if Lake County would have to approve the sewer hook up for that area. Director Silhan said that the sewer is already in place. Attorney Magna asked if this property is listed in the same document from Taussig and Associates. Administrator Haley said that he believed that the property was excluded from either SSA. Attorney Magna said that they will identify whether or not that property is included in the SSA by the final plat stage.

Mr. Burney asked if this board was the final actor with regards to approving this subdivision. Chairman Burdick said the Planning & Zoning Board recommendations would be forwarded to the Village Board for consideration.

Director Silhan responded to the earlier inquiry regarding the school site stating that the business manager for the school district is aware of this proposal. He said that he has suggested conditions in his staff report which include extending the farthest east access easement be extended south to meet the school district property. He had also suggested a landscape buffer along the south property line as well as an extension of the sidewalks along Savage road.

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Mr. Christensen suggested a gated access to the school property for emergency purposes. Director Silhan said any access to the school is critical, and does not have a problem with a gated access.

Motion to Deny PZB06-10; Clublands Commons

Member Ipsen made a motion to deny PZB 06-10; Proposed plat of subdivision with B-3 zoning; Clublands Commons; SE corner, Savage Road and Route 173; Antioch East End Development, LLC. **The motion died for lack of second.**

Attorney Magna requested that revisions be made, and this matter be continued to a later date.

Member Cole said that she has too many questions regarding the verbal agreements this evening and staff comments.

Motion to Continue PZB06-10; Clublands Commons

Member Cole made a motion, seconded by Member Kaiser, to continue PZB 06-10; Proposed plat of subdivision with B-3 zoning; Clublands Commons; SE corner, Savage Road and Route 173; Antioch East End Development, LLC to a later date not yet determined. Upon roll call, the vote was:

YES: 4: Keller, Kaiser, Cole and Ipsen.

NO: 0.

ABSENT: 1: LaReese.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion Member Ipsen moved, seconded by Member Keller, to adjourn the Planning and Zoning Board meeting at 9:11 p.m.

Respectfully Submitted,

Lori K. Folbrick
Deputy Clerk